

REMARKS

Entering of the foregoing amendment will not introduce new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated October 27, 2003 has been received and considered by the Applicants. Claims 1-8 are pending in the present application for invention. Claims 1-8 stand rejected by the October 27, 2003 Office Action. The foregoing amendment to the claim adds new Claims 9-16 that are generally of a similar scope to claims 1-9 originally submitted with the present application for invention.

The drawings are objected to because they fail to include descriptive labels of the specific blocks as described in the specification. The Examiner states that in Figure 1, 14 should be labeled "Transmission System", in Figure 2, 25 should be labeled "Video Screen". Redlined drawings are submitted with this response that include descriptive labels of the specific blocks mentioned by the Examiner for Figures 1 and 2. The Examiner states that in Figure 3, blocks KO-K5 should be labeled individually. The Application would like to, respectfully, point out that blocks KO-K5 are described in the specification as blocks KO-K5 and accordingly are labeled as in specification for the present application. The additional verbiage in the specification describes the functions performed by blocks KO-K5. Accordingly, the Applicant, respectfully declines to modify Figure 3 because no such modification is necessary.

The Office Action rejects Claims 1, 2, 4, 6, 7 under the provisions of 35 U.S.C. as being anticipated by U.S. Patent No. 5,576,731 issued to Whitby et al. (hereinafter referred to as Whitby et al.). The MPEP at §2131 states that a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)." Regarding Claim 1, the Examiner states that Whitby et al. discloses a receiver for receiving successive encoded video images at column 15, lines 1-2, the Applicant respectfully disagrees. Column 15, lines 1-2 of Whitby et al. discloses receiving means for receiving an input image. There is no disclosure within Whitby et al. for receiving encoded video images. Whitby et al. discloses receiving raw analog video, there is no discussion within four corners of

Whitby et al. for receiving encoded video images as the Examiner asserts. Accordingly, there is no express anticipation of Claim 1 by Whitby et al.

“Under the principles of inherency, the prior art must function in accordance with the claimed limitations in order to anticipate.” In re King, 801 F.2d 1324, 231 USPQ 136 (Fed. Cir. 1986). Rejected Claim 1 to the present invention recites “encoded video images”. The Examiner is attempting to read the raw analog video as disclosed by Whitby et al. on the recited encoded video of the present invention. The entire disclosure of Whitby et al., as previously stated, pertains to receiving raw analog video. The Examiner has failed to provide any teaching within Whitby et al. for a receiver that receives encoded video as recited by rejected Claim 1 to the present invention.

The Applicant would like to, respectfully, point out that the Examiner has read the converting means of Whitby et al. upon the receiver of rejected Claim 1 to the present invention. The converting means of Whitby et al. converts the input image as taught by Whitby et al. from a first refresh rate to a second refresh rate. The Applicant would like to, respectfully, point out that the receiver as recited by rejected Claim 1 to the present invention comprises a video decoder for decoding the received images for motion parameters. The converting means of Whitby et al. is part of a display controller and not a video decoder as recited by rejected Claim 1 to the present invention.

Rejected Claim 1 to the present invention, specifically recites that display zones are selectively refreshed as a function of the motion information provided by the decoder. The Applicant would like to, respectfully, point out that Whitby et al. does not disclose, or suggest, refreshing zones as a function of motion information. Whitby et al. discloses two different refresh rates, which are used for the display memory, and the zone used for refreshing moving objects. There is no refreshing of zones as a function of motion information taught or, suggested, by Whitby et al.

Regarding Claim 2, the Examiner states that the receiving means of Whitby et al. anticipates the recited “means for identifying video objects.” The Applicant, respectfully, disagrees. The Applicant would like to draw the Examiner’s attention to page 3 of the specification to the present invention, beginning at line 5. Video objects are described therein as being decoded in relation to standards such as MPEG 2 or 4. The decoder is provided with motion vectors associated with video objects. The teachings of Whitby et al. disclose that lines of

pixels are compared with previous lines of pixels for motion changes. There are no video objects disclosed, or suggested, by Whitby et al.

The Examiner states that the computer system for receiving images and detecting motion characteristics of the images as taught by Whitby et al. on column 14, column 15 and column 4 discloses the recited element of “the motion detection means being provided for detecting variations in the identified objects and the motion information being associated with an identified object so as to describe motion of said object between successive images.” The Applicant, respectfully, disagrees. As previously stated, there are no video objects disclosed within Whitby et al., the motion detecting means within Whitby et al. are a comparison between current pixels and previous pixels. The Examiner is apparently equating pixel groups as taught by Whitby et al. with a video object as recited by the rejected claims to the present invention. The MPEP at §2111.01 states “the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. *In re Zletz*, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).” The Applicant, respectfully, submits that either the plain definition or the clear definition supplied on page 3 of the specification to the present invention cannot reasonably be interpreted as a pixel. The Examiner has failed to indicate where within the cited reference, Whitby et al., a video object is found that can reasonably read on the video objects as defined by the present invention.

Regarding Claims 4 and 7, the Examiner states that Whitby et al. discloses the subject matter recited by rejected Claim 4. The Applicant, respectfully, disagrees. Rejected Claim 4 to the present invention recites that the zones to be refreshed as well as the refreshing rates are determined as a function of the amplitude of motion of the video objects present in said zones. The Examiner has failed to provide any disclosure within Whitby et al. wherein the amplitude of the motion is taken into account.

Regarding Claim 7, as previously stated in the response to the rejection to Claim 1, there is no video decoding within Whitby et al.

Regarding Claim 6, the Examiner states that Whitby et al. discloses the recited elements, including those elements that deal with motion parameters. The Applicant, respectfully, asserts, that there are no motion parameters taught or disclosed by Whitby et al. The Applicant would like to, respectfully, point out that a parameter measures something. As previously, discussed, Whitby et al. discloses comparing present pixel groups with previous pixel groups. If there is a

difference between these present and former pixel groups, then Whitby et al. identifies this difference and a different refresh period is used for those pixels. This does not constitute “selectively refreshing display zones on the screen with different refreshing frequencies as a function of the previously computed motion parameters.” There are no motion parameters disclosed, or suggested, by Whitby et al.

In view of the foregoing argument, the anticipation rejection is respectfully, traversed.

The Office Action rejects Claims 3 and 5 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Whitby, et al. as applied to Claim 1, and further in view of Shimizu et al. (hereinafter referred to as Shimizu et al.). Regarding Claim 3, the Examiner states that Shimizu et al. does not expressly show that the motion vector taught therein is parallel to the image, but that Shimizu et al. discloses that the motion vector can be in a flat plane thus suggesting that the vector is parallel to the plane. The Applicant, respectfully, disagrees. Column 4, lines 3-19 of Shimizu et al. discloses that the motion vector can pertain to a flat area, not that the motion vector is itself in a flat area or that the motion vector is flat or parallel to the image. Therefore, there are unfound claimed features of the present invention that are not properly found in the rejection made by the Office Action. Accordingly, this rejection is respectfully, traversed.

Regarding Claim 5, the Applicant would like to respectfully point out that Claim 5 depends from Claim 1 which as previously discussed is believed to be allowable, accordingly Claim 5 is also believed to be allowable. Accordingly, this rejection is respectfully, traversed.

The Office Action rejects Claim 8 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Whitby et al. The Applicant would like to respectfully point out that Claim 8 depends from Claim 1 which as previously discussed is believed to be allowable, accordingly Claim 8 is also believed to be allowable. Accordingly, this rejection is respectfully, traversed.

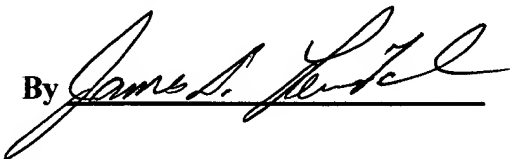
In an effort to move the present application for invention towards allowance, the Applicants have amended Claim 2 of the invention to more clearly distinguish the present invention from the cited references. The foregoing amendment to the claims adds new Claims 9-16 that are generally of a similar scope to claims 1-9 originally submitted with the present

application for invention. Accordingly new Claims 9-16 are believed to be allowable for the same reasons as previously discussed Claim 1-8.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

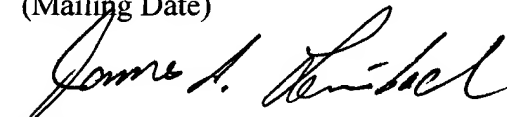
James D. Leimbach, Reg. 34,374
Patent Attorney (585) 381-9983

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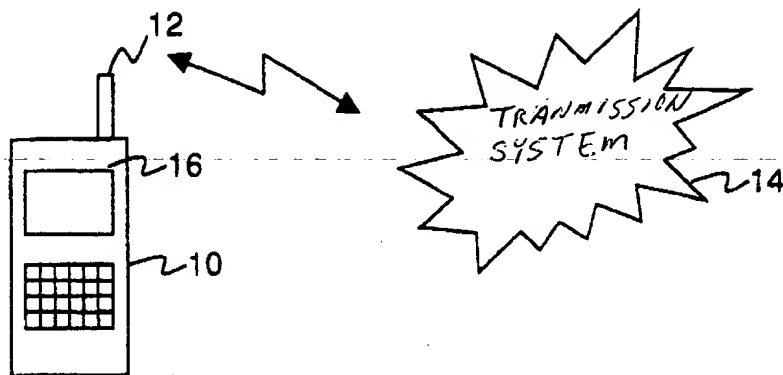


FIG. 1

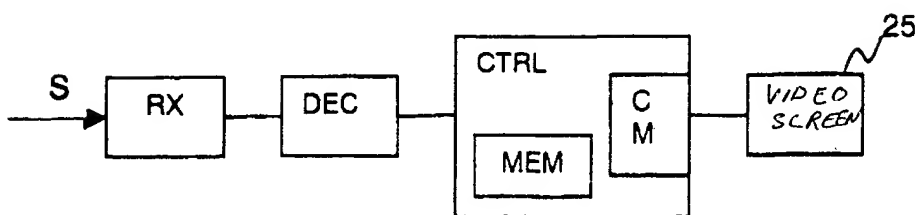


FIG. 2

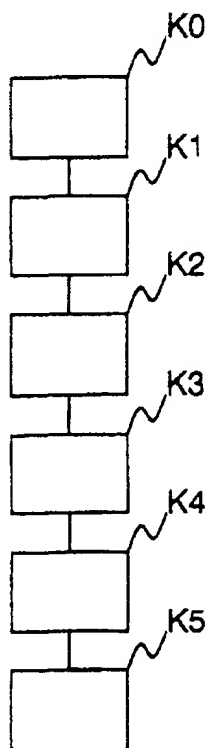


FIG. 3